

COUNCIL ON MENTALLY ILL OFFENDERS

<http://www.cdcr.ca.gov/comio/index.html>

MINUTES

July 24, 2008

This meeting was held at the Department of Mental Health Headquarters (Bateson Building), 1600 9th Street – Suite 360, Sacramento, California.

In Attendance:

Council Members

Matt Cate, Undersecretary, CDCR (Chairperson)
Stephen W. Mayberg, Director, Department of Mental Health (Vice-Chairperson)
Joel Fay, PsyD, Officer, San Rafael Police Department
Dave Lehman, Chief Probation Officer (Retired), Humboldt County
Wendy Lindley, Judge, Orange County Superior Court
Duane E. McWaine, M.D., Medical Director, DHCMHC, Los Angeles
David Meyer, J.D., USC Institute of Psychiatry, Law, and Behavioral Science
Jo Robinson, M.F.T., Assistant Director, San Francisco Jail Psychiatric Services
James W. Sweeney, J.D., Principal, James W. Sweeney & Associates
Charles L. Walters, Ph.D., Assistant Sheriff, Orange County Sheriff

Support Staff

Allan Lammers, Executive Officer
Bruce Slavin, Chief of Legal policy - CDCR

Interested Parties

Ron Wiborg, Senior Program manager, Hennepin County Minnesota
Kathryn Jett, CDCR, Under-Secretary
Joseph Partansky, PVCD Advocate
Karen Moen, Sr. Court Services Analyst, Collaborative Justice Project, Administrative Office of the Courts
Brenda Epperly-Ellis, Director, Statewide Mental Health Program, CDCR
Kit Wall, Eli Lilly and Company, Local Government Relations
Shawn Rowland, Contra Costa County, MIOCR Project
David Conn, Mental Health Systems, VP
Jim Kenshalo, Contra Costa County, CSW
Goldie Parino, SSMI, CDCR
Sherry Cook, SSMI, CDCR
Marlene Davis, Nursing Consultant, CDCR
Robert Storms, SSMI, CDCR/DAPO
Nancy Campbell, Deputy, OSM
Molly Willenbring, Executive Director, FMHAC
Kiyomi Burchill, Legislative Aide – Senator Steinberg
Colleen Stoner, Field Rep. CSA
Helene Zentner, Consultant, CSA

Absent: All members were present

AGENDA ITEM 1 - Opening Comments/Previous Meeting Minutes

Chairperson Cate called the meeting to order at 2:10 P.M., roll was taken, and a quorum was present. Guests were welcomed and introductions were made.

David Meyer moved and Judge Lindley seconded a motion to accept the minutes of the previous meeting held on March 19, 2008. The motion passed.

Executive Officer Lammers offered a tribute to CSA's Lynda Frost who was a long time friend of COMIO and was respected statewide for her passion and dedication to supporting and implementing programs addressing mentally ill offenders in California. Her death saddens us all and she will be greatly missed.

Since this is Chairperson Matt Cate's first COMIO meeting, he offered some background about his career, his strong interest in this field, his enthusiasm for future accomplishments and his interest in learning and working closely with all the COMIO members.

AGENDA ITEM 2 – Updates and Discussion Regarding Legislation and MIOCR

Vice-Chair Mayberg announced that the first housing improvement funds from the MHSA have been released for two locations. Up to forty other applications will be under consideration.

Chairperson Cate announced that the risk assessment tool that has been under development has now been adequately tested and is now available as a decision-making tool for parole agents.

CSA's Helene Zentner offered an update of the MIOCR projects and observed that since the budget has not been approved and MIOCR funds are presently not included in the proposed budget, many counties are winding down the projects or are trying to continue to run them on a streamlined basis, and some projects have been terminated. Kiyomi Burchill, Senator Steinberg's legislative aide, noted that MIOCR funds were restored in last year's budget, but this year seems more difficult, and we just do not know what will happen when the budget is finally approved. Council Member Meyer commented that we just cannot trust this kind of funding program, and it's tragic because these types of programs are working well. He observed that when incentives are aligned properly, behavior changes do occur. Other observations during the discussion were:

- It is not effective mental health treatment if the only way for people to receive treatment is to commit a felony.
- Mental Health Courts are reaching people in ways in which offenders are doing positive things that we would never expect them to do.
- COMIO Members should be sending letters to all the COMIO appointing authorities on behalf of MIOCR (originally introduced as a motion but withdrawn).
- We should encourage licensing a Master Level M.H. practitioner as a Counselor.

A variety of other pieces of legislation were mentioned as possible areas of interest for COMIO:

- Council Member Sweeney suggested that we need a report on AB 900, e.g., are we meeting the benchmarks? He also pointed out that we should be aware of SB 2877, which is in response to the Perez v. Tilton decision.
- Council Member Meyer asked about SB 1651 – has language survived in a trailer bill?

AGENDA ITEM 3 – Discussion of the Nonviolent Offender Rehabilitation Act of 2008 (NORA)

Judge Lindley suggested that discussion of this item be tabled until the next meeting to permit Council members to have an opportunity to become more familiar with the details of the Proposition. She expressed concern that if passed, NORA would not support the concept of Mental Health Courts. Dave Meyer mentioned that if passed, this would result in a massive upheaval in how mental health is addressed in this state.

AGENDA ITEM 4 – Competency to Stand Trial Checklist

Council member Meyer reported that the implementation process for this checklist will be fielded through the AOC rather than introduced as legislation.

AGENDA ITEM 5 – Facilities Needs Survey

Executive Officer Allan Lammers reported that at the CSA's May Board meeting, it was agreed to study the intake and release process followed in jails and juvenile halls, review medication follow-through and determine space and programming allocations for mentally ill offenders. Council Member Lehman, at a previous COMIO meeting, suggested that the entire area be included as part of the CSA's review of juvenile and adult standards which happens about every two-three years. Such a study might have broader implications as to the process of involuntary medications, which is now being done by Los Angeles and Santa Clara. CSA was

prepared to contract for this effort but the project is now on hold due to the delay in passage of the annual budget.

AGENDA ITEM 6 – Guest Discussant

Ron Wiborg is the Senior Program Manager with the Hennepin County (Minnesota) Department of Human Services and is Vice Chair of the National Association of Counties (NaCo) Justice and Public Safety Steering Committee. He is in Sacramento to provide the keynote address for the annual “Words To Deeds” Conference and offered to provide COMIO with a summary of NaCo public safety activities and issues. He mentioned that one of NaCo's priorities is to better address veterans issues unlike what our society did after Viet Nam.

AGENDA ITEM 7 – Update on COMIO Website Enhancement

Council Member Walters reported that due to a variety of non-technical issues including a change of Sheriff and upper management in the Orange County Sheriff's Department, there have been some delays in moving forward on the podcast project for COMIO. The goals remain and Council Member Fay again mentioned that he is very interested in incorporating CIT training updates. Prop 63 training updates could be a possibility as well.

AGENDA ITEM 8 – OLD BUSINESS

Dave Meyer reminded the Council members that the Words To Deeds Conference is tomorrow and that it is overbooked.

AGENDA ITEM 9 – NEW BUSINESS

As a follow-up to previous discussions, an effort to develop common mental health screening tools for all jails is being organized by Council Member Jo Robinson. She is working on pulling together a group of experts as volunteers to develop a tool that will function from computer to hard copy. The first meeting is tentatively scheduled for October in San Francisco.

ADJOURNMENT

Motion was made by Dr. Mayberg and seconded by Jo Robinson to adjourn the meeting. The motion passed and the meeting was adjourned at 4:20 p.m.

The next COMIO meeting will be held in Sacramento at the Office of COMIO Member James Sweeney on Thursday September 11, 2008 at 11 A.M.

MINUTES RECORDED AND SUBMITTED BY:

Allan Lammers,
Executive Officer, COMIO